



**ZONING ADMINISTRATOR**  
**NOTICE OF DECISION**

**Date:** September 16, 2014  
**Applicant:** Lennar Homes of California  
**Case No.:** PCC-14-024  
**Address:** 1545 Gold Medal Way  
**Project Planner:** Jeff Steichen

Notice is hereby given that on September 11, 2014, the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-14-024, filed by Lennar Homes of California ("Applicant"). The Applicant requests a CUP to establish a model home complex, a temporary sales office trailer and associated parking. The Project is located at the corner of Gold Medal Way and Olympic Parkway ("Project Site") and is owned by Lennar Homes of California Inc. ("Property Owner"). The Project Site is zoned Mixed Use (MU-1) with a General Plan designation of Mixed Use Residential (MUR). The Project is more specifically described as follows:

The Project includes the construction of a model home complex, the placement of a temporary trailer, to be utilized as a sales office, and associated parking. The models will include two residential dwelling product types (Siena and Palermo) being constructed within the Lake Pointe project, for purposes of allowing the public to view said models for consideration of purchase. The Siena models included in the model home complex will consist of 4 units housed within a four-plex building. The Palermo models will consist of 4 units which constitute a portion of a future 12-plex building.

The Project has been reviewed by the Development Services Director for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was adequately covered in previously adopted Final Environmental Impact Report, Eastlake III Woods and Vistas Replanning Program Subsequent EIR #10-01, and subsequent Addendum thereto dated September 5, 2012. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Section II.3.6.2 (3) of the Eastlake III Planned Community (PC) District Regulations, has been able to make the conditional use permit findings as required by CVMC Section 19.14.080:

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The model home complex (which includes model homes for viewing, temporary sales office and parking) is desirable due to its close proximity (onsite) to models of the two residential product types off of Gold Medal Way. The temporary sales office will allow the Applicant to provide sales information to the general public regarding new homes for the Lake Pointe Community.

2. **That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The proposed sales trailer will be adequately screened from view from Olympic Parkway through the use of existing and proposed temporary landscaping. The project is conditioned to require the applicant to post a bond in the amount determined by the Zoning Administrator to be ensure that the temporary features of the sales trailer and temporary parking lot shall be removed at the completion of sale of all units. Thus, the sales trailer and temporary parking lot will not be detrimental to the health, safety or general welfare in that it will provide sufficient off-street parking, and handicapped accessibility

3. **That the use will comply with the regulations and conditions specified in the code for such use.**

The use requires the Applicant and Property Owner to fulfill conditions and to comply with all applicable regulations and standards specified in the Eastlake III PC District Regulations (Section II.3.6.2.(B)(3)(a-e) for such use. The use will be constructed in compliance with Section II.3.6.2.(B)(3)(a-e) and all other City zoning and building regulations. The conditions of this permit are in proportion to the nature and extent of the impact created by the use in that the conditions are directly related to, and of a nature and scope related to the size and impact of the use. The use complies with all regulations and conditions specified in the Eastlake III SPA as established under Conditional Use Permit PCC-14-024

4. **That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The General Plan does not specifically address temporary type uses. However, the granting of this Conditional Use Permit is in substantial compliance with the Eastlake III General Development Plan/Sectional Planning Area (SPA) Plan. The Eastlake III SPA requires a CUP for temporary uses and specifically lists subdivision sales office and model home complexes as temporary uses.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-14-024 as described above subject to the following conditions of approval:

- I. Prior to the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirement:**

**Planning Division**

1. Prior to the approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Applicant/Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

2. Obtain a separate building permit or sign permit for the proposed signage and other applicable accessory structures for the model homes.
3. Prior to the issuance of any building permit, the Applicant shall provide one (1) \$3,000 faithful performance bond to ensure removal of the sales trailer and one (1) \$1,000 faithful performance bond to ensure removal of the temporary parking lot and landscaping upon completion of sales of the last unit. There is no specific format required for these bonds. When the sales trailer and temporary parking lot and landscaping are removed the applicant shall submit a letter to the Development Services Department requesting release of the bonds.
4. Prior to issuance of any building permit, the Applicant shall provide a plan identifying the details of all proposed signage whose location has been shown on the approved site plan dated September 11, 2014. Sign plan shall be reviewed pursuant to Eastlake III SPA PC District Regulations Section II.3.9.13 as applicable.

5. A Temporary Signage Permit will required for all banner and flags proposed in conjunction with the model home sales complex

#### **Land Development/Landscape Architecture/Public Works**

6. The parking for the sales office must be compliant with the Americans with Disabilities Act (ADA). Pedestrian ramps shall be constructed per ADA standards and approved by the City.
7. Temporary improvements (such as fence, signs, driveways etc.) located in street right of way, City easements or City owned Open Space Lots shall require an encroachment permit.

#### **Building and Fire Department**

8. The project shall comply with 2013 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC)< California Electrical Code (CEC), California Fire Code (CFC), the 2008 California Energy Code, and the 2013 California Green Building Standards, as adopted and amended by the State of California and the City of Chula Vista.
9. Prior to issuance of building permits, provide approval and installation instructions for the trailer

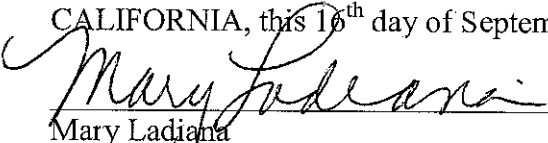
#### **II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.**

1. The Applicant shall maintain the Project in accordance with the approved plans for PCC-14-024, date stamped on September 11, 2014, which includes a site plan and landscape plans on file in the Planning Division, the conditions contained herein, and Title 19.
2. Approval of this Project shall not waive the Applicant's responsibility to comply with all sections of Title 19 of the CVMC, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.
3. The Applicant shall execute this Conditional Use Permit as the authorized use only. Any new use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
4. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's

fess (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated above. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.

5. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
6. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.
7. This Conditional Use Permit shall expire upon completion of sales of the last unit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 16<sup>th</sup> day of September 2014.

  
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Mary Ladiana  
Zoning Administrator